

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2009-006263-001 DT

06/17/2009

COMMISSIONER LISA ANN VANDENBERG

CLERK OF THE COURT
R. Miller
Deputy

STATE OF ARIZONA

LISA M AUBUCHON

v.

MIGUEL HERNANDEZ-PENA (001)

J SCOTT HALVERSON

Custody Status: Pretrial Services Release

PRETRIAL SERVICES AGENCY-CCC
VICTIM SERVICES DIV-CA-CCC

NOT GUILTY ARRAIGNMENT

9:08 a.m.

Courtroom ECB 813

State's Attorney:	JoAnn Sakato for Lisa Aubuchon
Defendant's Attorney:	Philip Seplow for Scott Halverson
Defendant:	Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Pursuant to Rule 4.2, Count(s) 1 through 5,

IT IS ORDERED releasing the Defendant subject to the supervision of Pretrial Services to include drug/alcohol monitoring, which applies to all counts.

Let the record reflect that the Defendant enters a plea of not guilty to all charges.

The State has complied with Rule 15.1(a).

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06/17/2009

In preparation for the Initial Pretrial Conference (IPTC), the parties shall do the following:

1. The defense attorney shall conduct a conflicts check within the office to determine whether a conflict exists. If a conflict exists, counsel shall staff the conflict with the appropriate supervisor, and counsel shall file the appropriate Motion to Withdraw so new counsel can appear at the Initial Pretrial Conference.

2. Motions to Modify Release Conditions shall be heard at the Initial Pretrial Conference. Motions shall be filed with the assigned Commissioner not later than 10 days prior to the Initial Pretrial Conference.

3. If a plea agreement is extended by the State, the State shall extend the plea not later than 10 days before the Initial Pretrial Conference. Defense Counsel shall make reasonable efforts to present the plea to in custody defendants before the Initial Pretrial Conference.

4. Motion for Rule 11 Evaluations shall be heard at the Initial Pretrial Conference. Motions shall be filed with the assigned Commissioner not less than 10 days before the Initial Pretrial Conference.

5. Defense Counsel shall prepare and file a List of Specific Items of Discovery required under Rule 15.1 (b), but which were not disclosed. See Rule 15.2(e). Such list shall be filed with the assigned Commissioner not less than 5 days before the Initial Pretrial Conference.

ANY MOTION TO MODIFY RELEASE CONDITIONS, OR RULE 11 MOTIONS NOT FILED BEFORE THE INITIAL PRETRIAL CONFERENCE WILL BE HEARD AT THE COMPREHENSIVE PRETRIAL CONFERENCE BEFORE THE ASSIGNED TRIAL JUDGE. ALL MOTIONS SHALL BE IN WRITING WITH SPECIFIC FACTS TO SUPPORT THE MOTIONS.

This case is assigned to Commissioner Pamela Svoboda.

IT IS FURTHER ORDERED setting Initial Pretrial Conference for July 30, 2009, at 8:30 a.m. before Commissioner Pamela Svoboda.

IT IS ORDERED that the Defendant shall contact and meet with his/her attorney in person no later than three weeks from this date, for the purpose of preparing for the Initial Pretrial Conference.

NOTICE TO DEFENDANTS:

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2009-006263-001 DT

06/17/2009

Failure to comply with the above orders may result in revocation of Defendant's release from custody and/or the imposition of other sanctions.

The Defendant may be tried in his/her absence if he/she fails to appear for trial.

LAST DAY: 12/14/2009

9:11 a.m. Matter concludes.